

## LIST OF EXHIBITS AND WITNESSES

Case Number	SACV 11-534-AG(ANx)	Judge ANDREW J. GUILFORD
Title	WALTER L. MITCHELL v 3PL SYSTEMS INC	FILED - SOUTHERN DIVISION CLERK U.S. DISTRICT COURT
		NOV 16 2012
Dates of Trial	November 6, 7, 8, 9, 13, 14, 15, 16, 2012	CENTRAL DISTRICT OF CALIFORNIA BY DEPUTY [Signature]
Court Reporters	Denise Paddock	
Deputy Clerk	Lisa Bredahl, Debra Beard 11/16/12	
Attorney(s) for Plaintiff(s)		Attorney(s) for Defendant(s)
Gordon Gray, Ben Lil, Sam Nuriella, Craig McLaughlin		Matthew Berliner, William Brown, Jr, Matthew Wegner, Janet Park

Joint			EXHIBIT DESCRIPTION / WITNESS	Called By
Ex. No.	Id.	Ev.		
			11/6/12	
			Marc Meskin	X-Compl
			11/7/12	
			Mark Meskin (resumes)	X-Compl
			Walter Mitchell	X-Compl
			11/8/12	
			Walter Mitchell (resumes)	X-Compl
			Robbie Thone	X-Compl
			Arthur Koroghlian	X-Compl
			Jolene Meskin	X-Compl
			11/9/12	
			Jolene Meskin (resumes)	X-Compl
			Cody Saunders	X-Compl
			James Skorheim	X-Compl
			11/13/12	
			James Skorheim (resumes)	X-Compl
			Christopher Vinciguerra	X-Compl
			Jonathan Lansangan	X-Deft

1 List of exhibits, showing which exhibits may be received into evidence without  
 2 objection.

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
1	Christopher Vinciguerra Resignation letter dated April 22, 2011		No objection
2	3PL Systems, Inc.'s Request for Production of Documents to Christopher Vinciguerra, Set One		No objection
3	LinkedIn Profile of Chris Vinciguerra dated October 17, 2011		No objection
4	Christopher Vinciguerra's Application for Employment to 3PL dated April 16, 2007		
5	E-mail dated April 14, 2011 from Chris Vinciguerra		No objection
6	Christopher Vinciguerra's 3PL employee file		
7	3PL Systems Confidential Information and No Solicitation Agreement signed by Christopher Vinciguerra, dated 9/24/2007		No objection
8	3PL Systems Gmail Chat between Christopher Vinciguerra and James Blake, dated 2/1/2011		
9	E-mail dated April 11, 2011 from Christopher Vinciguerra		No objection
10	E-mail dated April 13, 2011 from Christopher Vinciguerra		No objection
11	Offer letter dated April 18, 2011 to Vinciguerra from Walter Mitchell, III		

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
12	3PL Notification of Change in Employment Status for Chris Vinciguerra's Resignation, signed 4/19/2011; and Exit Interview		
13	Trinnos Roster of Employees		No objection
14	E-mail dated April 28, 2011, from Marc Meskin		No objection
15	3PL Customer List from 3PL website		No objection
16	Trinnos Customer List		No objection
17	Invoice from Chris Vinciguerra, dated 5/2/2011, to 3PL		No objection
18	E-mail string		No objection
19	Trinnos License Agreement		No objection
20	E-mail dated May 9, 2011 from Chris Vinciguerra		No objection
21	E-mail dated 4/20/2011 from Chris Vinciguerra		No objection
22	Indemnification Agreement between Trinnos and Vinciguerra, dated June 10, 2011		
23	E-mail dated 4/20/2011, from Mitchell		No objection
24	Exit Interview dated 4/20/2011 of Kristen Busk		
25	Resume of Kristen Busk		
26	E-mail dated 3/23/11 from Mr. Koroghlian		No objection
27	E-mail dated 3/22/2011 from Kristen Busk		No objection
28	E-mail dated 10/19/2010, with attachments, from Kristen Busk		No objection
29	3PL's BrokerWare Software Updates - February 2009	—	11/6

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
30	E-mail dated 4/9/11 from Kristen Busk to Walter Mitchell		
31	E-mail dated 4/20/2011 from Daniel Ely		
32	Release Planning Results 10.21.10 spreadsheet		No objection
33	E-mail dated 4/28/2011 from Walter Mitchell		No objection
34	Kristen Busk 3PL employee file		No objection
35	3PL's BrokerWare Software Updates – June 2009, dated 6/8/2009	11/6	No objection
36	E-mail dated 7/26/2011 from Kristen Busk		
37	E-mail dated 4/19/2011 from Walter Mitchell		No objection
38	3PL's BrokerWare Software Updates for January 26, 2010		
39	E-mail dated 6/22/11 from Kristen Busk		No objection
40	E-mail chain, Bates Mitchell6815--6816		No objection
41	E-mail chain, Bates Mitchell6494--6499		No objection
42	E-mail dated 7/21/11 from Kristen Busk		No objection
43	E-mail chain, Bates Mtichell6808--6809		No objection
44	List of company names, Bates Mitchell 6316		No objection
45	Trinnos Technology marketing slide show		
46	E-mail dated 4/13/2011 from Jolene Meskin	11/13	11/13
47	Letter of Understanding dated 8/8/02	11/6	No objection
48	FreightSaverUSA.com Technical Cost Projections	11/6	No objection
49	Letter of Understanding dated 10/21/03	11/6	No objection
50	Mitchell's spreadsheet of Time Spent on Freight System from 2002 to 2007	—	No objection

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
51	Mitchell Invoices to FredightSaver.com, DTS, and 3PL, from 2000 to 2006	11/6	No <del>10</del> objection
52	Bylaws of 3PL Systems, Inc. signed by Mitchell on 9/1/2005		No objection
53	Articles of Incorporation of 3PL Systems, Inc., filed June 1, 2005		No <del>11</del> objection
54	Handwritten notes and e-mail re: MAS90 Integration development		—
55	Certificate of Registration for Transportation Management System, dated 2/22/05	—	No <del>11</del> objection
56	Certificate of Registration for 3PL Systems - Transportation Management System, dated 06/26/07	—	No objection <del>11/7</del>
57	Certificate of Registration for BrokerWare - Transportation Management System, dated 10/28/10	—	No objection <del>11/8</del>
58	Email dated 11/17/2010 from Marc Meskin	11/7	No <del>11</del> objection
59	Notes of Board Meeting dated 12/16/2010	11/7	No <del>11</del> objection
60	Review of Company Results, dated December 2010, with handwritten notes, 12/16/2010 and 12/22/2010	—	No <del>11</del> objection

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
61	61a - California Unemployment Insurance Appeal Board Decision dismissing appeal due to withdrawal re: Mitchell v 3PL, dated 6/17/2011; 61b - EDD Notice of Unemployment Insurance Claim Filed, dated 4/6/2011, 61c - Mitchell termination letter dated 3/17/2011; 61 d - EDD Notice of Determination dated 4/19/2011; 61 e - Mitchell EDD Appeal Form dated 5/4/2011 and exhibit explaining reasons for appeal		No objection W/7
62	Board Finance Meeting, dated 12/22/2010, with two receipts		No objection W/7
63	Notes titled "Jan. 25 Meeting Notes"		No objection W/7
64	CD titled "Telephone Message," voicemail recording of message from Mitchell's father to Robby Thone		
65	3PL Systems Split Transition Plan dated February 2, 2011		W/7
66	Letter dated 1/31/2011, re: separation of 3PL, signed by Mitchell; and calculation of expenses		W/7
67	Meeting Agenda dated 1/31/2011, drafted by Mitchell		No objection W/7
68	Resignation from Board of Directors, dated 4/7/2011, from Mitchell		No objection W/8

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
69	E-mail 3/17/2011, from Mitchell to Marc Meskin	—	No \\17 objection
70	Trinnos License Agreement effective date 4/25/2011		No objection
71	3PL Systems, Inc., Confidentiality Agreement signed 9/11/2007 by Jonathan Lansangan		No objection
72	Jonathan Lansangan 3PL employee file		
73	3PL Customer List	—	No \\17 objection
74	Letter dated 5/13/2011 from Mandour & Associates		No objection
75	Trinnos website screen shots with 3PL copyright notice 2007		\\17
76	Trinnos Technology LLC Income by Customer Summary, 4/1/2011 through 1/20/12	11/17	No 11/17 objection
77	Trinnos Technology LLC Customer Contact List dated 12/6/2011	11/17	No 11/17 objection
78	E-mail dated 6/20/07 from Mitchell to Robby Thone	11/6	No 11/6 objection
79	E-mail string, latest dated 12/8/10, from iLand to Mitchell		No objection
80	Jonathan Lansangan's Application for Employment to 3PL Systems, Inc. dated 8/29/2007		
81	Lansangan's Confidentiality Agreement with 3PL dated 9/11/2007		No objection

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
82	Acknowledgement of Receipt of 3PL Systems' Employee Handbook by Lansangan, dated 10/10/2007		No objection
83	3PL Systems Confidential Information and No Solicitation Agreement signed by Lansangan		No objection
84	E-mail dated 3/17/2011 to "in office" from Rickie Krantz		No objection
85	E-mail dated 2/14/2011 from Lansangan to "Meskin338" with attachments		No objection
86	E-mail dated 5/5/2011 from Lansangan to Mark Meskin with attachment		No objection
87	E-mail dated 5/17/2011 from Lansangan to Harry Ekmekjian		No objection
88	Trinnos Proprietary Information and Assignment of Inventions Agreement signed by Lansangan, dated 9/29/2011, Arbitration Agreement signed by Lansangan dated 9/29/2011, and Anti Harassment Policy, Substance Abuse Policy, and Employee Handbook		No objection
89	3PL Systems End User License Agreement form, effective date 9/18/2008		No objection
90	Trinnos End User License Agreement form, effective date 4/25/2011		No objection
91	E-mail dated 5/19/11 from Jon Lansangan to "jk"		No objection

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
92	E-mail string, latest dated 5/20/2011 from Lansangan to Christian Aguilar		No objection
93	E-mail string, latest dated 5/20/2011 from Lansangan to Creative Trans		No objection
94	E-mail string, latest dated 5/20/2011 from Lansangan to CTL Brokerage		No objection
95	E-mail string, latest dated 5/20/2011 from Lansangan to Delx		No objection
96	E-mail string, latest dated 5/24/11 from Lansangan to BGI Worldwide		No objection
97	E-mail string, latest dated 5/25/2011 from Lansangan to Logistics Freight Solutions		No objection
98	E-mail string, latest dated 5/26/2011 from Lansangan to Harry Ekmekjian of H & A Transportation		No objection
99	E-mail dated 5/26/11 from Lansangan to Charter Transport		No objection
100	Plaintiff Walter L. Mitchell III's Amended Notice of Deposition to Marc Meskin		
101	Email, dated 12/20/2010, from Jolene Meskin re: Jonathon	—	No objection
102	Email from Marc Meskin to Kristen Busk re: CSA 2010		No objection
103	Application for BrokerWare Source Code, Year of Completion 2010, Certification date 8/4/2011	—	No objection

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
104	Defendant 3PL Systems, Inc.'s Response to Interrogatories, Set One, Propounded by Plaintiff Walter L. Mitchell, III		No objection
105	Email dated 3/14/2011 from Marc Meskin Subject: Jon's Commissions		No objection
106	Email from Mitchell to Tami Potvin		No objection
107	3PL Paycheck Acknowledgement for Lansangan, dated 2/28/2011,	—	No /1 objection
108	Email, dated March 17, 2011, from Robby Thone re: 3PL Systems		No objection
109	Photocopy of four photographs of Meskin's family		
110	Email with photograph attachment from Marc Meskin	—	11/7
111	Email from Marc Meskin with family photo attachment		
112	Email dated 6/23/2011 from Tami Potvin with Master console		No objection
114	3PL Transaction Detail by Account, March 1, 2011 through October 10, 2011 [Documents Bates Labeled Confidential For Confidential - Counsel Only]		No objection
115	Cross-Defendant Jonathan Lansangan's Amended Notice of Deposition to Jolene Meskin		

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
116	Letter dated 3/8/2011, from Jolene Meskin to "Mitch"	✓	No objection
117	E-mail dated 3/8/2011 from Mitchell	✓	No objection
118	E-mail, dated 12/20/2010, from Jolene Meskin		No objection
119	E-mail dated 4/20/2011, from Jolene Meskin		No objection
120	Cross-Defendant Christopher Vinciguerra's Amended Notice of Deposition to Gay Derusha		
121	Subpoena to Testify at a Deposition in a Civil Action to Gay Derusha		
122	E-mail from Mitchell to Marc Meskin re: Gay processing payroll		No objection
123	Cross-Defendant Jonathan Lansangan's Amended Notice of Deposition to Tami Potvin		
124	Subpoena to Testify at a Deposition in a Civil Action, to Tami Potvin		
125	Wells Fargo Business Card statement dated 2/19/2009, prepared for Walter Mitchell		No objection

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<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
126	126a – Wells Fargo 1/2011 – 3PL135 126b - WF 12/29/10 (JL) – 3PL 136 126c – WF 11/18/10 (JL) – 3PL 137-138 126d – WF 10/20/10 (JL) – 3PL 139-140 126e – WF 9/21/10 (CV) – 3PL 141-142 126f – WF 9/21/10 (JL) – 3PL 143-144 126g – WF 8/20/10 (JL) – 3PL 145-146 126h – Limo receipt 8/7/10 – 3PL 147 126i – Email 8/1/10 – 3PL 148 126j – WF 7/21/10 (JL) – 3PL 149-150 126k – Ring order 7/8/10 – 3PL 151-152 126L – Brookstone order 6/29/10 – 3PL 153-154		No objection
126m	126m – Ticket payment receipt – 3PL 155		
126n	126n – Email chain end 2/14/11 – 3PL 156		
126o	126o – Email chain end 3/4/11 – 3PL 157		
126p	126p – Email chain end 2/23/11 – 3PL 158-159		
126q	126q – Email chain end 2/22/11 – 3PL 160		
126r	126r – Email chain end 1/18/11 – 3PL 161-162		
126s	126s – Email chain end 1/18/11 – 3PL 163		
126t	126t – Email chain end 1/18/11 – 3PL 164		
126u	126u – Email chain end 1/17/11 – 3PL 165		
126v	126v – Email 12/22/10 – 3PL 167		

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
127	127a – WF 12/18/07 (WM) – 3PL 253 127b – WF 2/18/08 (WM) – 3PL 254 127c – Hawaii hotel stmt and receipt 1/20/08 – 3PL 255-259		No objection
128	3PL Business Credit Card Posting and Payment Procedures		No objection
129	E-mail dated 6/23/2011, from Tami Potvin		No objection
131	Plaintiff Walter L. Mitchell III's Amended Notice of Deposition to Robby Thone		
132	Email, dated 1/4/11 from Robby Thone to Marc Meskin, Fwd: Conversation with Walt 8:00 AM today		No objection
133	Email, dated 3/18/11, from Marc Meskin to Mike Fuhrman		No objection
134	Email from Robby Thone to Marc Meskin		No objection
136	Email, dated 2/9/11, from Cody Saunders to Marc Meskin, with Attached draft proposal		11/7 objection
137	Individual Consulting Agreement between Cody Saunders and 3PL		11/8 objection
138	Email, dated 2/24/11, from Cody Saunders to Marc Meskin	11/8	11/8
139	Portions of e-mail from Cody Saunders	11/7	11/8
140	Plaintiff Walter L. Mitchell III's Amended Notice of Deposition to Arthur Koroghlian		
141	Subpoena to Testify at a Deposition in a Civil Action to Arthur Koroghlian		

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
142	E-mail dated 2/27/2011, from Cody Saunders	11/8	No objection
143	E-mail dated 3/16/2011, from Koroghlian		No objection
144	Access Denied, Granted and Other Badge Events, printed by iLand, access log for 3/17/11		No objection
145 A	Various documents <u>A1-A2</u>	—	No objection
145B	iLand Customer Contact Form		No objection
146	E-mail dated 3/17/2011, from Koroghlian	—	No objection
147	An e-mail chain from Vinciguerra, dated 3/18/11		No objection
148	An e-mail from Koroghlian dated 3-18-11		No objection
149	An e-mail from Koroghlian dated 3-23-11		No objection
150	Email from iland dated 1/18/12		No objection
151	Email from Koroghlian dated 4/12/11	—	No objection
152	Email from Busk dated 1/24/11		No objection
153	Mitchell's 1099s from DTS 2003--2005 (Misnumbered Exhibit 150 for MSJ)	11/8	No objection
154	Mitchell's 1099s from 3PL 2005--2007 (Misnumbered Exhibit 151 for MSJ)	—	No objection
155	Various documents: Mitchell's W-2 Forms from Hyundai 2001-2003; Mitchell's 1099 forms from Mountain Logistics 2006 & 2007, 1099 form from Variable Speed Solutions, Inc. 2006; 1099 form from Echo Global Logistics 2007(Misnumbered Exhibit 152 for MSJ)	—	No objection 11/8
156	2005 TMS Source Code	11/7	No objection
157	2007 TMS Source Code		No objection

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
158	2010 TMS Source Code		No objection
159	Declaration of Mitchell in Support of Plaintiff's Motion for Partial Summary Judgment on Defendants' Copyright Claims and Alternatively for Summary Adjudication on Copyright Issues		No objection
160	Declaration of Mitchell in Support of Plaintiff's Opposition to 3PL's Motion for Summary Judgment		No objection
161	Letter from Walter Mitchell to 3PL, April 7, 2011		
162	Letter from Richard Greenberg to Walter Mitchell, April 29, 2011	—	11/8
163	Jonathan Lansangan's LinkedIn Connections list		
164	Walter Mitchell's LinkedIn Connections list		
165	Robby Thone's LinkedIn Connections list		
166	3PL Systems Testimonials © 2009		
167	3PL response to Mitchell RFA, set one – 8/19/11		No objection
168	3PL response to Mitchell RPD, set one – 8/19/11		No objection
169	3PL supplemental response to Mitchell RFA, set one – 9/15/11		No objection
170	3PL supplemental response to Mitchell RPD, set one – 9/15.11		No objection

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
171	3PL response to Mitchell ROG, set one – 1/4/12		No objection
172	3PL supplemental response to Mitchell RFA, set one – 1/4/12		No objection
173	3PL supplemental response to Mitchell ROG, set one - 1/30/12		No objection
174	3PL response to Mitchell RPD, set two – 2/6/12		No objection
175	3PL response to Lansangan RPD, set one – 2/21/12		No objection
176	3PL response to Vinciguerra ROG, set one – 2/21/12		No objection
177	3PL supplemental response to Lansangan RPD, set one – 3/7/12		No objection
178	3PL supplemental response to Vinciguerra ROG, set one – 3/13/12		No objection
179	3PL supplemental response to Mitchell ROG, set one – 4/18/12		No objection
180	3PL supplemental response to Mitchell RFA, set one – 4/18/12		No objection
181	Rule 26 Rebuttal Expert Report (and Exhibits) of Dr. David Nolte	11/14	
200	E-mail string, latest dated 6/1/2011 from Pontiac Logistics to Lansangan		
201	E-mail dated 6/29/2011 from Lansangan to Jerry Gilbert		
202	E-mail string, latest dated 7/6/2011 from Lansangan		

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last  
page  
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<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
203	E-mail string, latest dated 7/7/2011 from Lansangan		
204	E-mail string, latest dated 7/13/2011 from Lansangan		
205	E-mail string, latest dated 5/17/2011 from Lansangan		
206	Plaintiff Walter L. Mitchell III's Supplemental Responses to Defendant 3PL Systems, Inc.'s Interrogatories (Set Two)		
207	Plaintiff Walter L. Mitchell III's Responses to Defendant 3PL Systems, Inc.'s Requests for Admission (Set One)		
208	License Agreement between Mitchell and Trinnos, dated 5/1/2011, and Amendment dated 1/1/2012		No objection
209	Notice of Taking Deposition of Trinnos Technology LLC Pursuant to FRCP 30 (b) (6)		
210	Trinnos Software Proposal and Service Agreement, dated 5/4/2011; EULA effective 4/25/2011		No objection
211	3PL Transportation Management System Software Proposal and Service Agreement dated 8/29/2007 and EULA effective 4/10/2005		No objection
212	Trinnos Technology PowerPoint presentation		No objection
213	E-mail dated 5/4/2011 from Mitchell to Wally Brauer		No objection

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
214	3PL BrokerWare Software Proposal and Service Agreement dated 6/29/2010 and EULA effective 9/18/2008		No objection
215	E-mail string, latest dated 2/20/2012 from Dan LaValle to Mitchell		
216	TMS/MAS 90 Integration Requirements, dated March 19, 2003, Revision 2	11/6	No objection
217	3PL's Copyright Registration No. Txu 1-766-312, dated July 12, 2011	—	11/7
218	Email from Mitchell to Meskin dated 3/12/03, Subject line "FW: MAS 90 Proposal"		
219	Email from Mitchell to ACSG and Meskin dated 3/19/03, subject line "Programming Specs Revision", plus attachment "TMS/MAS 90" March 19, 2003 Revision 2;	—	11/6
220	Diversified Transportation MAS 90 Accounting System Proposal, signed 3/24/03;		
221	Brokerware Update email from 3PL, dated 10/4/10,		
222	[deleted] Mitchell's Complaint for Copyright Infringement, filed 4/7/11;		
223	Mitchell's Supplemental Responses to 3PL's Special Interrogatories, Set two,		
224	Mitchell's Responses to 3PL's Interrogatories, Set One		
225	3PL's Articles of Incorporation, dated 6/1/05;		No objection

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
226	Minutes of the Organization Meeting of the Incorporator of 3PL, dated 6/1/05		No objection
227	Certificate of Shares of 3PL given to Mitchell, dated 9/1/05		No objection
228	Minutes of the Annual Meeting of Shareholders of 3PL, dated 9/1/05		No objection
229	Mitchell's Responses to 3PL's Request for Admission, Set One		
230	Mitchell's Responses to 3PL's Interrogatories, Set Two		
231	Emails from ILAND dated 3/16/11-3/17/11; bates labeled ILAND000034-000046		No objection
232	Trinnos license agreements, Mitchell 8338-8341; Mitchell 00001-00002		No objection
233	Proprietary Information and Assignment of Inventions Agreement, Mitchell 8342-8347		No objection
234	License Agreement between Mitchell and Trinnos, dated 5/1/11, and Amendment dated 1/1/12; Mitchell 8326-8332		No objection 11/7
235	Emails from Lansangan to Trinnos customers/previous 3PL customers, Mitchell 6854-7047		No objection
236	Trinnos Software demonstration site (HTML files)		
237	3PL Software demonstration site (HTML files)		
238	3PL Website screenshots (HTML files)		

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
239	Trinnos website screenshots (HTML files)		
240	Rule 26 report by Skorheim and exhibits	11/9	
241	Emails bates 3PL 1996-1999		
242	Email bates 3PL 1998		
243	Email bates 3PL 2002		
244	Payment by 3PL, bates 3PL 2049		No objection
245	Invoices to 3PL, bates 3PL 2050-2055		No objection
246	Payments to Mitchell, bates 3PL 2056-2059		No objection
247	3PL Copyright Transfer Agreement	11/6	11/6
248	PowerPoint presentation, bates 3PL 3365-3382	11/6	11/6
249	Email bates 3PL 1980-1981		
250	Email bates 3PL 1982		
251	3PL Software Updates, bates 3PL 1891-1900	11/6	11/6
252	3PL Customer license agreements, bates 3PL 1080-1769		No objection
253	Trinnos transition outline, bates Mitchell 6264		No objection
254	Emails bates Mitchell 6118-6263		No objection
255	Emails bates Mitchell 6494-6499 and 6791-6818		No objection
256	Trinnos proposals, bates Mitchell 6500-6663		No objection
257	Trinnos invoices, bates Mitchell 6683-6789		No objection
258	Emails bates Mitchell 7082-7083		No objection
259	Handwritten notes, bates Mitchell 7108-7110		No objection
260	Emails bates Mitchell 7111-7115		No objection
261	Emails bates Mitchell 7118-8120		No objection
262	Emails bates Mitchell 8121-8230		No objection

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
263	Trinnos License Agreement, bates Mitchell 8338-8341		No objection
264	License agreement, Mitchell 8326-8332		No objection
265	Email bates Mitchell 3333-3334		No objection
266	Proprietary Information and Assignment of Inventions Agreement, Mitchell 8342-		
267	Mitchell Response to 3PL's RFP, Set One		
268	Trinnos Response to 3PL's RFP, Set One		
269	Lansangan Response to 3PL's RFP, Set One		
270	Vinciguerra Response to 3PL's RFP, Set One		
271	Emails, bates BATLOG 244-298; 299-376		
272	Emails, bates FREIGHTWATCHERS 00011-000143		
273	Emails to Performance Plus, dated May 23, 2011 through August 8, 2011		
274	Emails to Compass Distributing, dated May 20, 2010 - July 26, 2011		
275	Emails to Flyer Logistics, dated May 17, 2011 - July 1, 2011		
276	Emails to Global Xoom, Inc, dated May 19, 2011 - July 26, 2011		
277	Emails to USA Management Systems, Inc. dated May 11, 2011 - July 26, 2011		
278	Emails to DTI, dated May 5, 2011 - June 24, 2011		

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
279	Supplemental Expert Witness Report of James M. Skorheim dated June 12, 2012, and Updated Exhibits C, D, F.3, and F		
280	3PL Systems, Inc. Lost Clients File (240-E.1)	11/8	11/8
281	Monies paid to Chris Vinciguerra File (240-F.1) W-2 Wage and Tax Statements to Chris Vinciguerra, 2007-2010 (240-F.1, F.2) <sup>not</sup> <sub>Page 1</sub>	11/8	11/8
282	W-2 Monies Paid, Wage and Tax Statements to Jonathan Lansangan 2007-2010 File (240-F.2)		11/9
283	Monies paid to Walter Mitchell 2005—2011 by 3PL Systems, Inc. File (240-F.3) <sup>283-2 to 283-32</sup>	—	11/8
284	Monies paid to Walter Mitchell pre 2005 by DTM Services, Inc. File (240-F.4) <sup>P. 2-68</sup>	—	11/9
285	Costs for Accounting Integration paid by DTM prior to going live 01/01/2005 (240-F.5) <sup>P. 2-36</sup>	—	11/9
286	Costs for Accounting Integration Post 2005 (240-F.6)	—	11/9
287	Avoided Cost - DTM Employees who contributed to development of software (240-F.7) <sup>P. 2-12</sup>	—	11/9
288	Payment History Report for Dihn website customization (240-F.8)	✓	11/9
289	Programming costs for Quan Hoang, 2008-2009 (240-F.9)	✓	11/9
290	Payments to Arthur Koroghlian (240-F.10)	—	11/9
291	W-2 Wage and Tax Statements for 3PL Employees prior to 03/17/2011 (240-F.11) <sup>P. 1-8</sup>	—	11/9

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
292	3PL Uncollectable A/R (240-G.1)	W/9	
293	Security Service Costs (240-G.2)	11/9	
294	Locksmith Services Work Order Invoice (240-G.3)		
295	Excess Internal Accounting - Jolene Meskin Services (240-G.4)	11/7	
296	Recruiting Costs (240-G.5)		
297	Invoices for Placement of Candidates (240-G.6)		
298	Receipts for Vinciguerra travel (240-G.7)		
300	3PL Employees Retention Payments Post 03/17/2011 (240-G.8)		
301	3PL Systems Inc. Active Client List (240-H.5)		
302	3PL Systems Inc. Financials from Quickbooks 2005—2012 (240-H.6)		
303	3PL Systems Inc. General Ledger as of 12/31/2011 (240-I.1); Cody Saunders Costs (240-I.1)		
304	AK Enterprises Costs (240-I.2)		
305	CBR Technology Corp. (Christoph Riechert) Costs (240-I.3)		
306	Costs for Discover Software Inc. (240-I.4)		
307	Costs for Yarshevich Vladimir Vasilevich (240-I.5)		
308	Costs for Array Systems, Inc. (240-I.6)		
309	Payments to Ali Raza (240-I.7)		
310	Costs for Genetech Solutions (240-I.8)		

<u>Ex.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
311	3PL Systems Inc. General Ledger as of 12/31/2010 (240-I.9)	11/9	
312	Receipts and Statements from Hawaii Trip (240-I.10)		
313	3PL Lost Profits Growth Rate Comparison (Chart 1)		
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